

Transcript of the Testimony of

MERI AUMICK

November 19, 2021

AUMICK vs CITY OF AVA

6:21-cv-03072-BP



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1 A. No, he never did.

2 Q. Okay. Did you ever see the officer draw his weapon?

3 A. No.

4 Q. Okay. Your attorney got a chance to depose
5 Officer Berkshire. He testified that at one point
6 he did draw his weapon and that you were pleading
7 with him not to shoot your son. Did you say
8 anything like that?

9 A. Oh, my God. Yes, yes.

10 Q. Okay.

11 A. I was in the ambulance. Yes.

12 Q. You were in the ambulance?

13 A. In the side door. Yes. I was standing, and they
14 were working on my arms. Yes.

15 Q. Okay. That's a little further -- by this point,
16 Mr. Aumick -- Shane is already in handcuffs; right?

17 A. Yes.

18 Q. Okay. So let's not get to that point just yet
19 because I'm trying to follow what's in the police
20 report. But you don't recall -- let me ask it a
21 different way.

22 Prior to Mr. Aumick being in handcuffs, do
23 you recall the officer that was the first officer on
24 the scene drawing his weapon?

25 A. I didn't see him draw his weapon. He walked to the

1 door, walked up on the porch, and Shane came out the
2 door. And that's when he handcuffed him.

3 Q. Okay. But then at some point when he's handcuffed
4 you do see the officer draw his weapon?

5 A. Not at that time.

6 Q. When did you see that? I'm sorry. I'm just
7 confused.

8 A. I'm in the yard. Shane was already handcuffed when
9 that happened in the yard.

10 Q. Okay.

11 A. And then he was going to tase him out in the yard.

12 Q. And that was going to be my question. Did he draw
13 his weapon or draw a Taser, if you know?

14 A. I know he had the Taser.

15 Q. Okay. Did you ever see him draw a gun?

16 A. He might have. I don't know.

17 Q. Okay. You never saw him use the Taser; is that
18 correct?

19 A. Well, I was yelling. I asked him not to. I said,
20 "Don't hurt my son. Please don't hurt my son."

21 Q. Okay. Did you ever see him use the Taser?

22 A. No. He was going to.

23 Q. But he never did; correct?

24 A. No.

25 Q. Okay. At the point you saw where you thought he was

1 A. -- the officer and Shane, yes.

2 Q. Okay. You testified -- I'm sorry.

3 When Mr. Hyde was asking questions, I believe
4 you said that the knife was down on the ground
5 before the officer arrived?

6 A. Yes.

7 Q. So your testimony is Shane never picked that knife
8 back up?

9 A. Never.

10 Q. Okay. So if I understood correctly, you originally
11 were inside the ambulance and then you got out of
12 the ambulance to kind of watch what was going on?

13 A. Yes. I refused any more treatment and I got down.

14 Q. I'm sorry. I didn't catch that.

15 A. I refused the treatment and got down.

16 Q. Who's he -- refused treatment and got down?

17 A. Yeah. Off the step. There's, like, a step right
18 there.

19 Q. Okay. And you refused treatment from the younger
20 paramedic?

21 A. Yes.

22 Q. Okay.

23 A. Because it was getting crazy.

24 Q. And when Mr. Hyde was asking you questions, you said
25 that Officer Berkshire had his knee in Shane's back